

# **LOUISVILLE METRO CRIMINAL JUSTICE COMMISSION MEETING SUMMARY**

**Thursday, August 27, 2009**

**Members Present:** Judge Judith Bartholomew, Chair; Kim Allen; Sheriff John Aubrey; Evan Roach (Designee for Gary Barnes); Mark Bolton; Robert Foley (Designee for Timothy D. Cox); Rich O'Malley (Designee for Mike O'Connell); Judge Sean Delahanty; William DeNardi; Dan Goyette; Carla Kreitman; Richard Lewis; David L. Nicholson; Judge James Shake; Dave Stengel; and Col. Robert White.

**Excused Members:** Elisa Freeman-Carr; Roger Henderson; Candy Hill; Bishop Walter Jones; and Clarence Williams.

**Guests Present:** Jamie Allen (Louisville Metro Corrections); Julie Hayes (District Court Administrator); Col. Mike Hettich (Jefferson County Sheriff's Office); Tina Messer (Jefferson County Drug Court); and Lt. Col. Troy Riggs (Louisville Metro Police Department).

**Staff Present:** Faith Augustine; Betsy Helm; Dr. Deborah Keeling; Bruce McMichael; Tracey Neathery; and Stephanie Stidham.

## **I. WELCOME/CALL TO ORDER**

Judge Bartholomew called the meeting to order and welcomed all in attendance. Although he was unable to attend the meeting, Judge Bartholomew offered congratulations to Assistant Special Agent in Charge (SAIC) Richard Badaracco on his retirement from the Drug Enforcement Agency. The new Acting SAIC Agent James Balcom will be welcomed at the next Commission meeting.

## **II. APPROVAL OF MEETING SUMMARY OF JUNE 25, 2009 MEETING**

The summary of the June 25, 2009 meeting was unanimously approved as submitted.

## **III. CHAIR'S REPORT**

Judge Bartholomew reported that the revisions to the Criminal Justice Commission Ordinance, voted on and approved at the June Meeting, have been sent to the County Attorney's Office for final formatting and inclusion on the Metro Council agenda. It is anticipated that Metro Council will approve the revisions during its October meeting.

Judge Bartholomew called upon Kim Allen to introduce the newly appointed Executive Director of the Criminal Justice Commission, Dr. Deborah Keeling. Dr. Keeling will be serving as the Commission's Executive Director in a part-time, volunteer capacity. Dr. Keeling is Chair of the University of Louisville's Justice Administration Department and a copy of her bio is included in the meeting packet. Ms. Allen stated that Dr. Keeling has long worked with Criminal Justice Commission staff on various initiatives and that her appointment will reaffirm the partnership between the University of Louisville and the Commission. Dr. Keeling expressed her honor and excitement at being given this opportunity and stated that she looks forward to meeting and working with Commission members.

#### **IV. PANEL PRESENTATION**

##### *Overview of Local Jail Population Management Efforts*

Kim M. Allen, Chair, Jail Policy Committee

Judge Judith Bartholomew, Senior Status

Judge Sean Delahanty, Chief Judge, Jefferson District Court

Mark Bolton, Director, Louisville Metro Department of Corrections (LMDC)

Judge Bartholomew introduced the panel members and reported that they will be discussing current efforts and projects to address the local jail population issues in our community.

Ms. Allen began the presentation by providing background on the current Jail Policy Committee. The Committee was reconvened in March 2009 to oversee the implementation of the recommendations set forth by the Metro Corrections: Vision 20/20 Commission. A Committee Membership listing and a copy of the status/tracking of the recommendations are in the meeting packet. Ms. Allen reported that grant applications have been submitted in order to fund the creation of a Day Reporting Center and expanded services for court involved individuals.

Judge Bartholomew advised that Chief Judge Sean Delahanty has assigned her to assist with the jail policy efforts. One of the 37 Vision 20/20 recommendations was to utilize a Senior Status Judge to work with Metro Corrections to review cases and identify inmates for possible release or transfer to non-jail options. Judge Bartholomew stated that initial plan was to screen for potential candidates, currently incarcerated to be considered for release to non-jail options; however, after reviewing the data, few candidates were eligible. Once the District Court activities progress and challenges are identified and resolved, a similar process will be pursued in Circuit Court.

Judge Sean Delahanty provided an update/overview of the District Court Reorganization Committee effort and the Non-Support docket. Judge Delahanty reported the goal of the Reorganization Committee is to study various measures to

improve the efficiency of District Court operations. This long term review could result in a total reorganization of District Court or modifications to existing practices and procedures. The group is also studying possible docket modifications to address the largest volume of cases (traffic violations, felony/misdemeanors). One of the biggest contributors to jail crowding are non-support cases. Current practice requires defendants to provide twelve timely support payments to be eligible to be released from jail. A possible solution under consideration is to require 6 payments while incarcerated, followed by six payments while on the home incarceration program (HIP). If the individual successfully completes this requirement, the individual could be shock probated. If a decision is made to pursue this option, it could be implemented within the next 60 days. Members discussed whether this option could or should be implemented within the Family Court's Paternity Docket.

Director Mark Bolton, spoke regarding his efforts to reduce the jail population. Mr. Bolton noted that the population threshold for the jail is 2,000 and that any increase could result in reopening the third floor cells above LMPD headquarters. This reopening would be inadvisable for both fiscal and safety reasons. The data now available from the Business Intelligence reports allow LMDC to provide key stakeholders with real-time population information so that alternatives to incarceration may be considered. Mr. Bolton stated that these reports will be the cornerstone for change. Members discussed existing alternatives to incarceration.

Mr. Bolton stated that the \$500,000 Day Reporting Center (DRC) stimulus grant written by Criminal Justice Commission staff has been submitted and a request for proposal will be drafted and released within the next few months. Case management provided through the DRC will assure that participants are compliant with court-ordered instructions. Mr. Bolton also mentioned alternatives to incarceration as a means to reduce jail population and said one of the potential new alternatives available may be the enhancement of HIP with the use of global position system (GPS). Additionally, Mr. Bolton reported that reorganization of Community Corrections Center (CCC) staff will include a case management function for accountability and verification of employment for work release inmates. Plans are also in place for CCC to partner with Kentuckiana Works to provide job training. Efforts are ongoing to verify and validate offender data for those processed through the Court Monitoring Center (CMC).

Mr. Bolton introduced Jamie Allen of LMDC to discuss the Turning It Around (TIA) program. Ms. Allen reported that TIA-referred inmates no longer have to be moved to CCC prior to participation in the program. Therefore, now TIA participants can be released directly to HIP from the jail.

Mr. Bolton addressed questions regarding the cost per day for each LMDC program. A jail bed in a secure facility costs \$64 a day, a bed in CCC costs \$41 a day, and HIP costs \$9.90. He expects the cost of Day Reporting to be somewhat more than

HIP, but less than a secure jail bed.

## **V. COMMITTEE REPORTS**

**A. Computerization Committee** – Betsy Helm reported that during the most recent meeting, Mark Bolton gave a Business Intelligence presentation which included information on how outside agencies, such as LMPD, can access certain LMDC reports. Additionally, Ms Helm noted that on-line payment of traffic fines will be available to the public in late September. This same payment technology may be available in the future for bond payments.

**B. Legislative Committee** – Stephanie Stidham advised the deadline for submitting potential legislation is August 28, 2009. Ms. Stidham advised that the Legislative Committee will begin meeting in September to consider proposed recommendations. Ms. Stidham noted that the State Penal Code Review Subcommittee is meeting and providing recommendations to a joint Judiciary Committee. Final sub-committee recommendations must be approved by Judiciary in December 2009 for consideration during the 2010 Legislative Session.

## **VI. UNFINISHED BUSINESS/NEW BUSINESS**

Kim Allen provided an update of Congressional Senate Bill 714, Establishment of the National Criminal Justice Commission. The U.S. Senate Judiciary Committee plans to hear the bill in the Fall and anticipates its passage in December, however, it is anticipated that a similar bill will not be introduced to the U.S. House of Representatives until Spring, 2010.

## **VII. ADJOURN/NEXT MEETING**

With no further business before the Board, the meeting was adjourned. The next scheduled meeting is Thursday, October 15, 2009 at 2:00 p.m. in the Crown Room of the Judicial Center.